Preserve

App. F. IX-4

193 2.
(Muzrai)

File No. 309-32
Serial Nos. 1-

Previous References

Rg 89 21-1
312 28 1-3
329-28-1 14

Later References

Rev 141 36-1 6
Hugy. 297-54-1-5.

General and Revenue Secretariat.

Serial Nos.

Part B for August 33

SUBJECT.

Leasing out the Kotle lands endowed by
temples at Kudli for a period of 15 years
dispossessing the present occupants

No Muz Cons
of Sum Kudli

78 & 8 15-) 33

above
In view the recommendation is

Serial No.

1

Letter No C 388/32-33 of 13/5/33 from the Muzrai Commissioner stating that the present occupants of the Kattle lands endowed to the temples at Kudli Shimoga Taluk have refused to execute a Muchalika even for buying the reduced rate of Nazarana referred to therein. I have stated that they would pay only the assessment and Cesses due on the lands and requesting Sanction to the lease right of the said lands being sold in auction for a period of 15 years dispossessing the present occupants.

As the present tenants are stated to have taken a defiant attitude in regard to the lease first sanctioned, the recommendation of the M.C. is for approval or otherwise —

GS 10/6 — 13

2) The recommendation of the M.C. may be approved.

3) Whether a suit for damages against the present occupants who may be got evicted as per the Law Section.

14/6/33

Secy)

2nd Mr

Agreed

Mr 15/6/33

Mr 16/6/33

Mr 17/6/33

Seal of the Second Member of Council 20 JUNE 1933 No. 5620

Note—Contn. Sheet

WD 70—GBPM—60,000—13-8-31

336 of 33

File No 309 of 1932 (E)

General and Revenue Secretariat

Gll file

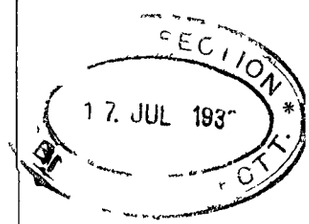
GS 1917 — Please put up fair draft as revised

Copy — 1917 — Fair draft put up

GS 1917 Dft

17

Sd 2/17/7



G.O. no 78-9 dy 19.7.33 sanctioning the recommendation of the Muzaffarnagar Committee for selling the lease right of the Katley lands referred therein for a period of 15 years in possession the present occupants —

In pursuance of paras 3 & 5 supra, the file will be refd to the Law Secy for kind opinion & return.

GS GS 1917

(i) Law section with compts

Dft 19/7/33

(2) Forwarded with compliments to the Govt Advocate for favour of opinion on the point raised in para 3 supra

Sd/- Illegible
For Secy to Govt
20/7/33

G.O No. P 9/1932 dated 20/7/33

Sd/- S 2/33-34 dt 30.7.33

Serial No.

Returned with compliments.

1. The tenants seem to have offered to pay 25% excess migate i.e., 4 annas more for every rupee and proposed that they might be given the lands for a period of thirty years. Their offer was not accepted in full and on the recommendation of the Deputy Commissioner and the Muzrai Commissioner, Government sanctioned that the lands may be given over to them only for 15 years on their paying the excess migate offered by them. The ryots did not agree but offered to pay only two annas more for every rupee pleading financial depression and the consequent low prices of grains etc., On the recommendation of the Deputy Commissioner and the Muzrai Commissioner, Government seem to have sanctioned that the ryots may pay two annas extra for the first five years, three annas for the next five years and four annas during the remaining five years. The order however is not in the file.

2. The tenants did not consent to execute Mutchalikas in accordance with these terms. It is thus clear that there were only offers and counter-offers between the ryots and the Muzrai Department and no completed contract and as such the ryots cannot be proceeded against for damages.

Government Advocate.
31-7-1933.

H.

GENERAL SECRETARY'S 1-AUG. 1933 No. Pls.
Office of the Second Member of Council 1 AUG. 1933

NOTE—Contn. Sheet.

WD 0246 —GPB—15,000—22-8-32

1284

File No. of 1932-3 | General and Revenue Secretariat

Vide marked portion A in para 13 supra.
Govt Advocate's note of 31.7.33.
No order of the kind was passed before.
It is true that it was an oversight.
Made over the D.C. to find out the
inclination of the ryots concerned.
The records are now below
required by m.c. Opn asked for 2008—
Govt
12/8
—
14/8

Letter no 211 of 1578/33 to the Muzrai
Commissioner re forming records
retained by mercin

M C. 13]

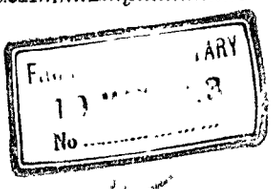
No. 6388/32-33

Re:- File of Vernacular records

Mog 309-32-1 5

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE.

Dated, Bangalore,...13th...M...a...y.....193 3



FROM

S. HIRIANNAIYA, ESQ,. M.A., B.L.,
Muzrai Commissioner in Mysore.

1 2 1915

To

S....Shamanna,....Esq...,...B.A.,.....
Secretary to the Government of His Highness the Maharaja of Mysore.
F..i..n..a..n..c..i..a..l.....*Department.*

SIR,

With reference to G.O. No.204-5/Muz.329-28-14 dated 4/5-8-31 sanctioning the lease of the Katle lands endowed to the temples at Kudli in Shimoga Taluk for a period of 15 years to the present occupants for an increased migate of P 0-4-0 in the rupee as proposed by the Deputy Commissioner, I have the honor to forward herewith copies of the Deputy Commissioner's letters Nos. Muz.1.C.391/32-33 dated 15-10-32 and 21-4-32 and to state as follows:-

2. When the lease right of the Katle lands was advertised for sale agreeably to the orders by Government in Appeal No.14 of 1928-30, the occupants came forward with a representation that they may not be divested of the possession of the lands as they have been in long enjoyment etc., and that they were prepared to pay an increased migate of P 0-4-0 in the rupee above what they were paying. This prayer was supported by the Deputy Commissioner and on a recommendation from this office, the proposal was sanctioned in the Government Order of 5th August 1931.

* Hug'k to the Talle file

3. When on receipt of the Government Order the occupants were asked to execute Mutchalikas for paying the increased migate, they pleaded inability to do so on the ground of fall in the prices of food grains and requested that the lease might be sanctioned to them on condition of their paying an increased migate of only P 0-2-0 in the rupee. The Deputy Commissioner, in modification o

the above, proposed an increased migate of R 0-2-0 for the first 5 years and of R 0-3-0 for the next 5 years and R 0-4-0 during the last 5 years on the presumption that the present low rates might not continue for more than 5 years. When the ryots were asked to execute Mutchalikas for paying these reduced rates of migate, they refused to do so and stated that they would pay only the assessment and cesses due on the lands.

4. The Deputy Commissioner recommends that the lease right of these lands may be sold for a period of 15 years.

5. The occupants of the Katle lands have taken a defiant attitude and do not seem to deserve any consideration.

6. In these circumstances, I recommend that sanction may kindly be accorded to the proposals of the Deputy Commissioner for selling the lease right of the lands for 15 years.

7. The total extent of the Katle lands endowed to these 3 temples is noted in the margin. The entire file of vernacular papers is sent.

	Dry.	Wet including Pagayet.
	a. g.	a. g.
1. Prahmeswara	445- 0	183-34
2. Rameswara	44-20	26-10
3. Chintamani Narasimha	98-12	52- 1
	588- 0	262- 5
Total Assessment	Rs. 1385-3-8	

I have the honor to be,

Sir,

Your most obedient servant,

Huzrai Commissioner.

Letter No.Muz.1.C.391/32-33 dated 21-4-33 from the Deputy Commissioner Chimoga District, to the Muzrai Commissioner in Mysore.

With reference to correspondence ending with your letter No.388/32-33 dated the 4/5th November 1932 regarding the disposal of the Upadhi lands of Sri Brahmeswara and other temples at Kudli, Chimoga Taluk, I have the honor to state that the Amildar of Chimoga Taluk, reports in his No.M.C.63, 32-33 dated the 6th March 1933, that the ryots are not willing to pay the increased migate of even annas two, owing to the fall in the price of food grains, that they would pay only the assessment and cesses as per Re-Survey and Settlement and that none appeared to execute the Mutchalika in response to the notice. The Sub Division Officer recommends that the lands might be leased out in auction for a period of 15 years dispossessing the present occupants.

Under the circumstances, I request that the lease right of the lands may be ordered to be sold for a period of 15 years as already recommended in this office letter dated the 11th October 1932.

All the connected 34 files together with the consolidated statement are resubmitted herewith.

"COPY"

For Muzrai Commissioner.

Letter No.Muz.1.C.391/33-33 dated 15-10-32 from the Deputy Commissioner, Shimoga District, to the Muzrai Commissioner in Mysore.

In continuation of this office No.Muz.Ac.615/26-27 dated 10-10-32 submitting a report re: the disposal of the Upadhi lands of Sri Prahmeswara and other temples at Kudli, Shimoga Taluk, I have the honor to state that the occupants of the Katle lands of these institutions were asked to execute proper Mutchalikas agreeing to pay an increased migate of R 0-4-0 in the rupee to the temples for a period of 15 years as sanctioned by Government in their order No.204-5/Muz.329-28-14 dated 4/5-8-31. They have stated before the Amildar, Shimoga, on 15-8-32 that they are unable to pay the increased migate of R 0-4-0 in the rupee owing to the fall in the price of the food grains and that they would be willing to pay only R 0-2-0 per rupee in addition to the assessment and cesses due as per Re-Survey and Settlement. The Amildar and the Sub Division Officer recommend the acceptance of their terms as many of them are poor and as the Sub Division Officer thinks that if the present tenants are dispossessed of their lands and the lease right sold there is a possibility of a fall even in the present income judging from a number of Muzrai Sales held.

As the fall in prices may not continue for a long time probably not after five years, I would recommend that the present tenants be asked to pay the increased migate of R 0-2-0 in the rupee for the first five years, at R 0-3-0 in the rupee for the next five years and at R 0-4-0 in the rupee for the remaining 5 years. If they are not agreeable to this, the lease rights might be ordered to be sold.

The connected file of records is submitted herewith for reference and return when done with.

"COPY"

For Muzrai Commissioner.

G.R.S. App. F VI—G 2]

SUBJECT .....

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.....

Diary No. of letter replied to .....

Section 1/4

File No. 309-32

Serial No. 2

General and Revenue Secretariat

( )

the 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 19/7/1933.

Signed by Muddukrishnaiya

Read— G.O No 204-S/Mis 329-28-14 dt 5-8-31 sanctioning the leasing out of the Kudlay lands endowed to Sri Brahmeshwara Devaru, Rameshwara Devaru & Chidambara Nanjunda Devaru temples at Kudli Shimoga Tk to the present occupants for 15 years on their agreed to pay an increased kist of Rs 367-13-5 more than they are paying at present

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

~~Order thereon.~~—No

2) Letter No C/10 388/32-33
dy 13.5.33 from the H.C.
Stating that when the occupants
of the lands were asked
to execute Mutchalikas
for paying the increased
Nigate in pursuance
of the G.O. referred above
they pleaded inability
to do so on the ground
of the failure in the crops of
four grains and requested
that the lease may be
sanctioned to them on
condition of their paying
an increased Nigate
of only a.2/- in the Rupee,
that when they were
asked to execute Mutchalikas
on certain modified terms
proposed by the D.C. they
refused to do so stating
that they only
assessment on irrigated

List of Enclosure

Copied by

Examined by

G. R. S. App F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

Mr.
Due on the lands, ~~Mr. Holmes~~
~~I have that~~ they
have taken a defiant
attitude and do not
deserve any consideration
and recommending
sanction, under the
circumstances, to the
~~to~~ proposal of the D.C.
for selling the lease right
of the lands for a period
of 15 years dispensing the
present arrears.

Ord No 78-9 Q
19-7-37
The recommendation
of the D.C. is sanctioned.
S/ 17/7
For H Sec

To
The D.C. Lower Records
as (~~three folios~~
16/8
The Camp V

G-J
15/7

17

SWD 0327—GPB—10,000—18-5-27

211 Records

Mis 309-32

From

The Secy to Govt

xxxxxxxxxxxxxxxxxx
Financial Department.

To

The Muzrai Commissioner in Mysore,
Bangalore.

Bangalore, dated 15th August 1933. ***

Sir,

I am directed to return herewith the records received with your letter No. C. 388/32-33, dated 13th May 1933 in the matter of the lease of the Katle lands endowed to Sri Brahmeswara Devaru, Rameswara Devaru and Chintamani Narasimha Devaru temples at Kudli, Shimoga Taluk.

I have the honor to be,
Sir,
Your most obedient servant,

15/8/33

for Secretary to Government,
Financial Department.

TRM.2

Appendix F G—1]

SUBJECT.....

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Section MM3

File No. 309-32

Serial No.

Diary No. of letter replied to . 1284

No. 211 Inc Records

To

The M.C

General and Revenue Secretariat

( )

the *193* .

Date of issue 15/8/33

Signed by Mr K. N. Krishnaswami Iyer

Sir,

I am directed to return herewith the records received with your letter No C 38 D/32-338, 13/5/33 in the matter of the lease of the Kattalankudi lands endowed to Sri Brahmeswara devaru, Rameswara devaru Chintamani Narasimha-devaru temples at Kudi Shimoga Tk. etc., for the consideration KBa.

I have etc

2/6/33

for Secy

List of enclosures.....

Copied by.....

Examined by .....

WD 0253—GPB—15,000—26-8-32

1278

14